

TACOMA MUNICIPAL COURT
LOCAL RULES

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RULE 3.1.1
APPOINTMENT OF COUNSEL TO REPRESENT
INDIGENT DEFENDANTS

Washington Rules of Court, Rules for Courts of Limited Jurisdiction CrRLJ 3.1 requires this Court to provide appropriate legal counsel to eligible indigent defendants.

The Pierce County Department of Assigned Counsel has indicated their willingness to enter into a continuation of our existing contractual Agreement to furnish said services for the period beginning January 1, 1997 and ending December 31, 1998.

Upon approval of the proposed Agreement and execution of same by the proper officers of the City of Tacoma, the Judges of the Municipal Court appoint the above-named Department as official counsel to represent indigent defendants before this Court.

Adopted effective September 1, 1992/OAC Filed Date: June 19, 1992
Amended effective February 1, 1994/OAC Filed Date: April 7, 1994
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RULE 3.2(n)
NEGLIGENT DRIVING

In accordance with CrRLJ 3.2(n), defendants initially charged with Negligent Driving on or before June 5, 1996 may post and forfeit a monetary penalty in accordance with the Court's published bail schedule as a final disposition. This rule shall not apply to defendants initially charged with Driving While Under the Influence, Physical Control, or Reckless Driving who have negotiated a plea of guilty or submittal, CrRLJ 6.1.2(b), to Negligent Driving unless permitted by the Court. The rule shall not apply to Negligent Driving cases in which a fatality has occurred.

Defendants charged with Negligent Driving on or after June 6, 1996 are governed by RCW 46.61.525.

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RULE 3.3(b)
REPRESENTATION BY COUNSEL

Pursuant to Infraction Rules for Courts of Limited Jurisdiction IRLJ 1.3(a) and 3.3(b), this Court adopts the following infraction rule:

At a contested infraction hearing, the plaintiff shall be represented by a lawyer or Rule 9 Legal Intern representative of the prosecuting authority whenever a defendant is represented by an attorney at such hearing.

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RULE 6.2(c)
PARKING PENALTY SCHEDULE

Pursuant to Washington Rules of Court IRLJ 6.2(c), the following penalties are established for violation of parking, standing, stopping, and pedestrian infractions in accordance with City of Tacoma Municipal Code.

ORDINANCE	TITLE	PENALTY
11.05.135.1	Expired Vehicle License Under 2 Months-Parked	47.00
11.05.135.2	Expired Vehicle License Over 2 Months-Parked	133.00
11.05.135.3	No Month/Year License Tab-Parked	47.00
11.05.135.4	Altered/Illegible License Plates-Parked	133.00
11.05.135.5	Missing License Plate-Parked	47.00
11.05.135.6	Switched License Plates-Parked	133.00
11.05.140	Taxicabs - Prohibited Parking Areas	10.00

11.05.160	Violation of Barricade Permit	10.00
11.05.170	Overtime Parking	5.00
11.05.180.1	Removal of Chalk Mark-First Offense	10.00
11.05.180.2	Removal of Chalk Mark-Repeat Offense	20.00
11.05.190	Chain Parking	20.00
11.05.200.A1	Commercial Vehicle-O/T Parking-First Offense	150.00
11.05.200.A2	Commercial Vehicle-O/T Parking-Second Offense	200.00
11.05.200.A3	Commercial Vehicle-O/T Parking-Third Offense	250.00
11.05.200.B1	Commercial Vehicle-Too Many Parked-First Offense	150.00
11.05.200.B2	Commercial Vehicle-Too Many Parked-Second Offense	200.00
11.05.200.B3	Commercial Vehicle-Too Many Parked-Third Offense	250.00
11.05.220	Commercial Trailers Prohibited	75.00
11.05.230	Parking for Extended Periods	10.00
11.05.245	Parked Within 2 Feet of Another Vehicle	10.00
11.05.260	No Parking 1:00 A.M. to 9:00 A.M.	15.00
11.05.320	No Parking 6 A.M. - 8 A.M.	15.00
11.05.340	No Parking 7 A.M. - 9 A.M./4 P.M. - 6 P.M.	15.00
11.05.370	No Parking 4:00 P.M. to 6:00 P.M.	15.00
11.05.390	No Parking Anytime	15.00
11.05.480	Loads - Unloading Vehicle - Operation	133.00
11.05.545	Load Zone (Over 15 Minutes)	10.00
11.05.555	Parked Against Traffic	10.00
11.05.564	For Sale Sign Prohibited	25.00
11.05.595	Continuous Parking	10.00

R.C.W.	TITLE	PENALTY
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46.16.381.7	Parked In Handicapped Zone	175.00
46.61.570.1AI	Double Parked	10.00
46.61.570.1AII	Parked On Sidewalk/Planting Strip	15.00
46.61.570.1AIV	Parked on Crosswalk	15.00
46.61.570.1AVI	Parked Alongside Street Obstruction	15.00
46.61.570.1AVII	Parked Upon a Bridge/In A Tunnel	15.00
46.61.570.1AX	No Parking - Official Sign	10.00
46.61.570.1BI.1	Blocking Driveway	15.00
46.61.570.1BI.2	Parked Within 5 Feet of Drive Return	15.00
46.61.570.1BII	Parked Within 15 Feet of Fire Hydrant	15.00
46.61.570.1BIII	Parked Within 20 Feet of Crosswalk	15.00
46.61.570.1BIV	Parked Within 30 Feet of Stop Sign	15.00
46.61.570.1CI	Parked Within 50 Feet of Railroad Crossing	15.00
46.61.575.1.1	In Roadway Not Parallel To Curb	10.00
46.61.575.1.2	Parked Over 12 Inches From Curb	10.00
46.61.600.1.2	Failure To Remove Ignition Key	15.00
46.61.600.1.3	Front Wheels Not To Curb	15.00

W.A.C.	TITLE	PENALTY
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308.330.430	Back/Head-In Angle Parking	10.00
308.330.433.1	Parked Blocking Traffic	15.00
308.330.433.2	Blocking Alley	15.00
308.330.439	Passenger Load Zone	10.00
308.330.457	Bus/Taxi Zone	10.00

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RULE 10.1
APPOINTMENT OF PRESIDING JUDGE

WHEREAS, Washington Rules of Court, Administrative Rules for Courts of Limited Jurisdiction (ARLJ) Rule 5(a), Presiding Judge, Multiple Judge Court District, Multiple District Counties, requires that a Judge be so designated as Presiding Judge, Judge Elizabeth E. Verhey has been duly elected to the position of Presiding Judge of the Municipal Court of Tacoma with Judge Gary Sullivan elected as Acting Presiding Judge.

Adopted effective September 1, 1992/OAC Filed Date: June 19, 1992
Amended effective January 4, 1993/OAC Filed Date: January 7, 1993
Amended effective January 4, 1993/OAC Filed Date: February 25, 1993
Amended effective February 1, 1994/OAC Filed Date: April 7, 1994
Amended effective January 2, 1996/OAC Filed Date: February 6, 1996
Amended effective September 1, 1996/OAC Filed Date: July 8, 1996
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RULE 10.2
DELEGATING AUTHORITY TO CANCEL WARRANTS
AND FTA'S, AND RESCIND DELINQUENT CHARGES

In addition to the Judges, Court Commissioner, and Court Administrator, the following Court personnel are hereby granted the authority to allow the rescheduling of time payments, to cancel arrest warrants issued for Failure to Pay fines or costs as agreed; and to rescind delinquent charges on warrants and FTA's reported to the Department of Licensing:

Deputy Court Administrator
Court Operations Supervisor(s)

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RULE 10.3
ACCEPTANCE OF CHECKS FOR BAIL

Personal or payroll checks may be accepted up to \$2,000.00 as bail in the Pierce County Jail when the defendant or other surety has furnished identification and can establish one of the following:

1. Maintenance of a permanent residence within Tacoma or Pierce County.
2. Name is listed in either the City or Suburban Directory.
3. Name is listed in Tacoma or other local telephone directories.

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RULE 10.4

REINSTATEMENT OF BAIL FORFEITED ADMINISTRATIVELY

Reinstatements of bail forfeited administratively by the clerks will be allowed only when requested on the same date as the original forfeiture. If requested timely, the defendant may enter a plea and request a court date.

Cases will be considered closed at the end of the day on which the defendant posts bail with the Court and requests forfeiture of same. Such cases shall not be considered for a subsequent hearing.

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RULE 10.6

FAILURE TO RESPOND AND WARRANT CHARGES

Notices of Infraction involving parking offenses shall increase \$10.00 in penalty after fifteen calendar days from date of issue. At this point the registered owner of the cited vehicle shall be deemed to have "Failed to Respond" in accordance with RCW 46.63.110(3).

Furthermore, at the point in time that a warrant is issued for "Failure to Appear" on a criminal citation or "Failure to Pay" on a time payment plan, the bail involved shall be increased in the amount of \$100.00.

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RULE 10.7

COMMITMENT OF DEFENDANTS TO THE
PIERCE COUNTY JAIL

Commitment procedures enumerated herein are consistent with statutory provisions contained in RCW Title 10. This Court Order further defines the intent of the Municipal Court Judges wherein case law or judicial discretion might determine an appropriate case disposition.

DEFENDANTS COMMITTED TO SERVE JAIL TIME ONLY:

Commitment of defendants wherein specific jail time has been imposed, the total number of calendar days as entered on the commitment shall be served consecutively. The committing Judge or Commissioner may provide for jail time to be served during specific consecutive periods.

This procedure would be utilized primarily for the sentencing of defendants to serve weekends and/or other fixed periods of time.

COMMITMENT FOR FAILURE TO PAY FINE AND/OR COSTS:

The defendants committed for failure to pay fines and/or costs shall have such fine or costs reduced by an amount not to exceed \$75.00/day (no labor) or \$100.00/day (labor) for each 24-hour period served.

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RULE 10.11
SUSPENDING ACCOUNT BALANCES

Delinquent account balances under \$15.00 on adjudicated cases where all other conditions of sentencing have been satisfied may be suspended or applied administratively and closed on a case-by-case basis.

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RULE 10.13
APPOINTING MUNICIPAL COURT COMMISSIONER

The Revised Code of Washington (RCW) Chapters 3.42.010 and 3.46.145 establishes statutory authority for this Court to appoint Court Commissioners.

Having met all qualifications as set forth in RCW Chapter 3.42.010, the undersigned Judges of the Municipal Court do hereby appoint:

DENNIS H. BALL

as Court Commissioner to serve this Court as provided by the above authority.

This Commissioner shall have such powers as set forth in RCW Chapter 3.42.020 specifically, and such general powers as granted the Municipal Courts in RCW Chapter 3.66.010.

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Court Rule # LIRLJ 3.5

DECISIONS ON WRITTEN STATEMENTS

Mitigation and contested hearings based on written statements, given under penalty of perjury as provided for in IRLJ 2.4(b)(4) and IRLJ 2.6(c) are authorized. The procedures authorized by IRLJ 3.5 are adopted by this court. To be considered, the written statement(s) must be received by the court pursuant to written instructions provided to the defendant.

Adopted effective September 1, 2002

Court Rule # LARLJ5

APPOINTMENT OF PRESIDING JUDGE

WHEREAS, Washington Rules of Court, Administrative Rules for Courts of Limited Jurisdiction (ARLJ) Rule 5(a), Presiding Judge, Multiple Judge Court District, Multiple District Counties, requires that a Judge be so designated as Presiding Judge, Judge Elizabeth E. Verhey has been duly elected to the position of Presiding Judge of the Municipal Court of Tacoma with Judge Arthur J. Emery elected as Acting Presiding Judge.

Adopted effective June 25, 2002

Court Rule # LGR 29

PRESIDING JUDGE

Term. The Presiding Judge shall be elected for a term of not less than two years, subject to reelection. The term of the Presiding Judge shall commence on January 1 of the year in which the Presiding Judge's term begins.

Selection Criteria. The Presiding Judge shall be selected based on the judge's 1) management and administrative ability, 2) interest in serving in the position, 3) experience and familiarity with a variety of trial court assignments, and 4) ability to motivate and educate other judicial officers and court personnel. A Presiding Judge shall have at least four years of experience as a judge, unless this requirement is waived by a majority vote of the judges of the court.

Notification to Chief Justice. Notice of the Presiding Judge and Acting Presiding Judge so elected shall be sent to the Chief Justice of the Supreme Court within 30 days of election.

Responsibilities. All other responsibilities shall be pursuant to General Rule 29, "Presiding Judge in Superior Court District and Limited Jurisdiction Court District."

Adopted effective June 25, 2002
